

200600008442  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
JENNIFER J HAYDEN  
02-21-2006 At 02:11 PM.  
ORDINANCE 19.00

## **Ordinance 06-10**

**AN ORDINANCE OF THE TOWN OF WESTFIELD  
ESTABLISHING SUBSEQUENT CONNECTOR FEES FOR  
SANITARY SEWER IMPROVEMENTS  
(THE WASHINGTON WOODS SEWER, FORCEMAIN AND LIFT STATION)  
OF THE WESTFIELD DEPARTMENT OF PUBLIC WORKS**

**WHEREAS**, the Town of Westfield, Hamilton County, State of Indiana (the "Town") is governed by a duly elected town council (the "Town Council"); and

**WHEREAS**, the Town operates a wastewater utility by and through the Town's Department of Public Works (the "Department");

**WHEREAS**, the Town Council desires to support and encourage economic development in areas that can be served by the Town's wastewater utility by making wastewater service available to areas in which such service do not presently exist; and

**WHEREAS**, the Town, in furtherance of the Town Council's desire to support and encourage economic development, extended a 10 inch sanitary sewer along State Road 32 and across land to the newly constructed Washington Woods Lift Station and forcemain, as identified on the map attached here to as Exhibit A (the "Sewer System Improvements");

**WHEREAS**, the Town Council desires to recoup the costs of the Sewer System Improvements from future developers, builders, or subscribers that will be served by and/or benefit from the Sewer System Improvements;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL  
THAT:**

**Section 1.** Town Council hereby authorizes the Department to charge subsequent connector fees to developers, builders, or subscribers that will be served by and/or benefit from the Sewer System Improvements, in addition to other fees and charges collected by the Department.

**Section 2.** The Department shall, collect in advance a fee in an amount equal to the “cost per Equivalent Dwelling Unit (EDU)” for the Sanitary Sewer Improvements as computed in Exhibit B. For commercial development, the developer shall be assessed \$1,058 per EDU at the time of payment of availability fees. For residential development, the developer shall be assessed \$529 per EDU at the time of payment of availability fees and the builder shall be assessed \$529 per EDU at the time of payment of the sewer permit fee. For existing residential lots, the lot owner shall be assessed \$1,058 per EDU at the time of payment of the sewer permit fees, if the lot was not previously provided service by the Town. Also, the Department shall not require any subsequent connectors to advance an amount, which if paid to the Department would result in the Department receiving an amount in excess of the total balance listed on Exhibit B.

**Section 3.** Subsequent connectors shall pay the Town an administrative fee of \$10 per EDU.

**Section 4.** The Department shall charge subsequent connector fees to all developers, builders, or subscribers served by and/or benefit from the Sewer System Improvements, in accordance with the calculation above.

**Section 5.** Proceeds from subsequent connector fees shall be considered payment toward the cost of construction of the Sanitary Sewer Improvements. Subsequent connector fees shall not be reduced or waived without approval by the Town Council after positive, negative or no recommendation by the Department.

**Section 6.** The actions of the Town staff working under this Ordinance are to be deemed in conformity with Town policy.

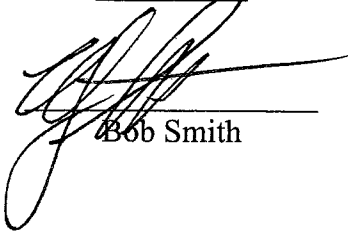
**Section 7.** Any current Town policy in effect contrary to this Ordinance shall be deemed void. Any portion of this Ordinance that may be later deemed invalid shall not effect the remaining provisions.

**Section 8.** This Ordinance shall be in full force and effect in accordance with Indiana law, upon its passage by the Town Council, its publication in accordance with Indiana law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed.

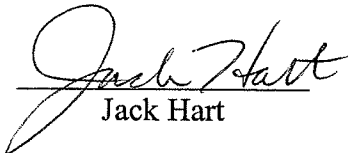
ADOPTED THIS 13 DAY OF Feb, 2006 BY THE  
WESTFIELD TOWN COUNCIL.

## WESTFIELD TOWN COUNCIL

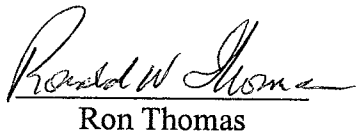
### Voting For

  
\_\_\_\_\_  
Bob Smith

\_\_\_\_\_  
Teresa Otis Skelton

  
\_\_\_\_\_  
Jack Hart

  
\_\_\_\_\_  
David Mikesell

  
\_\_\_\_\_  
Ron Thomas

### Voting Against

\_\_\_\_\_  
Bob Smith

\_\_\_\_\_  
Teresa Otis Skelton

\_\_\_\_\_  
Jack Hart

\_\_\_\_\_  
David Mikesell

\_\_\_\_\_  
Ron Thomas

### Abstain

\_\_\_\_\_  
Bob Smith

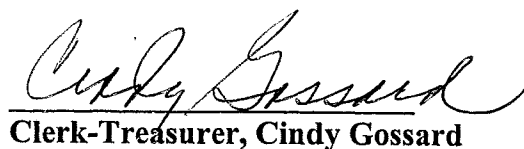
\_\_\_\_\_  
Teresa Otis Skelton

\_\_\_\_\_  
Jack Hart

\_\_\_\_\_  
David Mikesell


\_\_\_\_\_  
Ron Thomas

ATTEST:

  
\_\_\_\_\_  
Clerk-Treasurer, Cindy Gossard

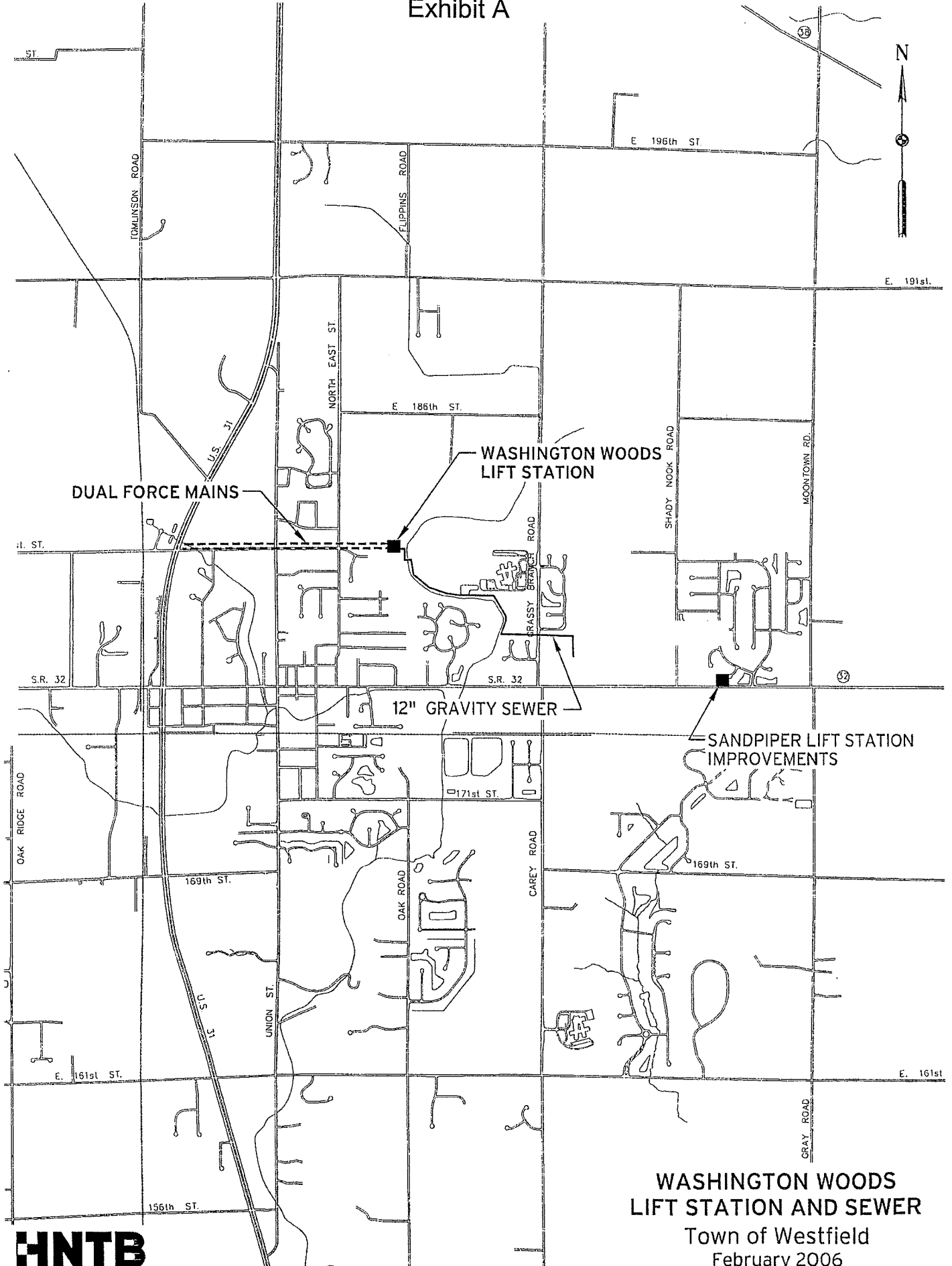
This Ordinance prepared by  
Jerry Rosenberger, Town Manager

Attachment B

 <p>Town of Westfield Public Works Department</p>	
<p>PROJECT NO.: 2006-01-09          PROJECT NAME: Sandpiper Lift Station &amp; Force Main; and          Washington Woods Sewer, Lift Station, &amp; Dual Force Mains</p>	
Project Segment	Estimated Project Cost
Total Estimated Construction Cost based on 2/2 Bid Opening	\$1,876,540
Design and Easement Preparation	\$161,400
Bidding	\$5,000
Easement Appraisals	\$6,000
Easement Acquisition	\$142,225
Construction Engineering	\$30,000
Resident Representative	\$50,000
Tomlinson Road Project	\$96,000
Administration Fee Subsequent Connector Agreement	\$22,580
<b>Total Estimated Project Cost</b>	<b>\$2,389,745</b>
EDUs Served by Improvements	2,258
<b>Cost per EDU</b>	<b>\$1,058</b>

# Exhibit A

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**HNTB**

**WASHINGTON WOODS  
LIFT STATION AND SEWER**  
Town of Westfield  
February 2006